



Attorney's Docket No.: 5079P010

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of:

Ran Oz et al.

Application No.: 09/870,069

Filing Date: May 29, 2001

For: METHOD AND SYSTEM FOR PRIORITIZED BIT  
RATE CONVERSION

Examiner: Not Yet Assigned

Art Group: 2613

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted)  
mailed August 24, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the  
above-referenced patent application;
- (2) a check in the amount of \$65.00 in payment of the surcharge of 37 C.F.R. §  
1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application;

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class  
mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington,  
D.C. 20231

on October 15, 2001

Date of Deposit

Patricia A. Balero

Name of Person Mailing Correspondence

[Signature]  
Signature

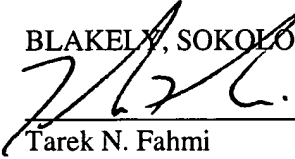
10/15/01  
Date

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

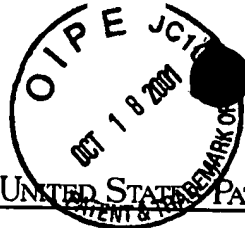
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 10/15, 2001

  
\_\_\_\_\_  
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/870,069	05/29/2001	Ran Oz	5079P010

08791  
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12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

CONFIRMATION NO. 9133

## FORMALITIES LETTER



\*OC000000006469951\*

Date Mailed: 08/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice MUST be returned with the reply.*

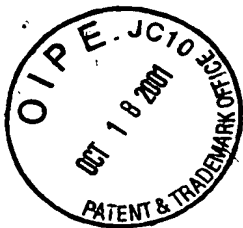
*AM*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/19/2001 CCHAU1 00000098 09870069

01 FC:205

65.00 OP



Applicant or Patentee: Ran Oz, et al. Attorney's  
Serial or Patent No.: 09/870,069 Docket No. 5079P010  
Filed or Issued: May 29, 2001  
For: METHOD AND SYSTEM FOR PRIORITIZED BIT RATE CONVERSION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9 (f) and 1.27(c) -- SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: BIGBAND NETWORK, INC.

ADDRESS OF CONCERN: 6607 Dumbarton Circle, Fremont, California 94555

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code.

I hereby certify that to the best of my knowledge and belief rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled METHOD AND SYSTEM FOR PRIORITIZED BIT RATE CONVERSION

by inventor(s) Ran Oz, Nery Strasman, Amir Leventer, Mark Lutsker, Lior Assouline and Amit Hildeshaim

described in

- ☐ the specification being filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

**and I have reviewed the document that evidences the conveyance of those rights.** That document

- ☒ is being filed herewith.  
☐ was recorded in the Patent and Trademark Office on \_\_\_\_\_, 19 \_\_\_\_  
at reel \_\_\_\_\_ and frame \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and **no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 347 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).** NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Ran Oz

TITLE OF PERSON OTHER THAN OWNER: CTO

ADDRESS OF PERSON SIGNING: 27 Nahal Gaton St, Matlin 71700 Israel

SIGNATURE: [Signature]

DATE: July 28 2001